

Atty. Docket No. BMID 9714C US

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ueda et al.

Application No.: 09/898,121

Group No.: 1642

Filed: 7/3/2001

Examiner: Unknown

For: CHIMERIC CELL-SURFACE RECEPTORS THAT UNDERGO ANTIGEN-INDUCED ASSOCIATION

Box SN
Assistant Commissioner for Patents
Washington, D.C. 20231

**STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

Dear Sir:

The undersigned hereby states that the content of the Sequence Listing filed herewith (2 pages, numbered 1 to 2) and the computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same and contain no new matter. Also enclosed is a Checker 4.0 Verification Summary Report demonstrating that the Sequence Listing complies with the applicable rules, and a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on May 15, 2002.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "K. J. Waite".

Kenneth J. Waite, Reg. No. 45,189
Roche Diagnostics Corporation
9115 Hague Road, Bldg. D
P.O. Box 50457
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Telephone: (317) 521-3104

Date: November 12, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/898,121	07/03/2001	Hiroshi Ueda	BMID9714CUS

Roche Diagnostics Corporation
9115 Hague Road, Bldg. D.
P.O. Box 50457
Indianapolis, IN 46250-0457



CONFIRMATION NO. 4449
FORMALITIES LETTER



OC00000008110948

Date Mailed: 05/15/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Jehn

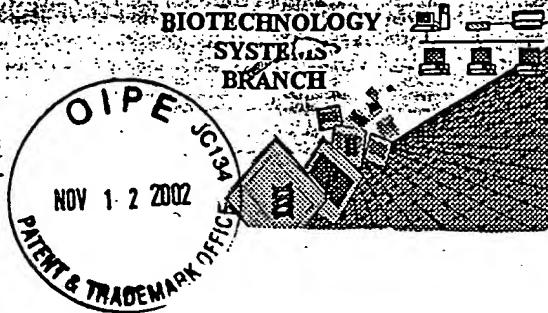
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

1642

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/898,121
Source: 1642
Date Processed by STIC: 2/12/2002

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TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

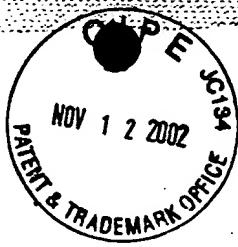
Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

• Revised 01/29/2002



Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/898,121

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleic
 Wrapped Aminos

The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to 3; this will prevent "wrapping."
- 2 Invalid Line Length

The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering

The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII

The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length

Sequence(s) _____ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug"

A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES)

Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence:
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
This sequence is intentionally skipped

Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES)

Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence.
<210> sequence id number
<400> sequence id number
000
- 9 Use of n's or Xaa's
 (NEW RULES)

Use of n's and/or Xaa's have been detected in the Sequence Listing.
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 Invalid <213>
 Response

Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220>

Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses.
Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug"

Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n

n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.



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FEB 26 2002

1642

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/898,121

DATE: 02/12/2002

TIME: 15:36:29

Input Set : A:\BMID 9714C.ST25.txt

Output Set: N:\CRF3\02122002\I898121.raw

3 <110> APPLICANT: Roche Diagnostics Corporation

5 <120> TITLE OF INVENTION: Chimeric Cell-Surface Receptors that Undergo Antigen-Induced
Association

7 <130> FILE REFERENCE: BMID 9714C

9 <140> CURRENT APPLICATION NUMBER: 09/898121

10 <141> CURRENT FILING DATE: 2001-07-03

12 <150> PRIOR APPLICATION NUMBER: US 09/032,369

13 <151> PRIOR FILING DATE: 1998-02-27

15 <150> PRIOR APPLICATION NUMBER: JP 9-44487

16 <151> PRIOR FILING DATE: 1997-02-27

18 <160> NUMBER OF SEQ ID NOS: 6

20 <170> SOFTWARE: PatentIn version 3.1

22 <210> SEQ ID NO: 1

23 <211> LENGTH: 22

24 <212> TYPE: DNA

25 <213> ORGANISM: synthetic construct

27 <400> SEQUENCE: 1

28 aggtgcacct gcaggagtct gg

31 <210> SEQ ID NO: 2

32 <211> LENGTH: 38

33 <212> TYPE: DNA

34 <213> ORGANISM: synthetic construct

36 <400> SEQUENCE: 2

37 tttaagctta aggactcacc cggcgagacg gtgacgag

22

all item 10 on Env Summary
sheet

38

40 <210> SEQ ID NO: 3

41 <211> LENGTH: 27

42 <212> TYPE: DNA

43 <213> ORGANISM: synthetic construct

45 <400> SEQUENCE: 3

27

46 ttctgcaga tcgtcctgac ccagagc

49 <210> SEQ ID NO: 4

50 <211> LENGTH: 38

51 <212> TYPE: DNA

52 <213> ORGANISM: synthetic construct

54 <400> SEQUENCE: 4

38

55 tttaagctta aggactcacc ctgtatctcc agcttggt

58 <210> SEQ ID NO: 5

59 <211> LENGTH: 29

60 <212> TYPE: DNA

61 <213> ORGANISM: synthetic construct

63 <400> SEQUENCE: 5

29

64 ccgaattcac catggatgg agctgtatc

67 <210> SEQ ID NO: 6

68 <211> LENGTH: 42

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/898,121

DATE: 02/12/2002

TIME: 15:36:29

Input Set : A:\BMID 9714C.ST25.txt

Output Set: N:\CRF3\02122002\I898121.raw

69 <212> TYPE: DNA
70 <213> ORGANISM: synthetic construct
72 <400> SEQUENCE: 6
73 ccccgccgggg gcgtccagga gcactgcagt caagagaaca ct

42

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/898,121

DATE: 02/12/2002

TIME: 15:36:30

Input Set : A:\BMID 9714C.ST25.txt

Output Set: N:\CRF3\02122002\I898121.raw